



# **Dane County Landlord / Tenant Legal Resource Guide**



**Room L1007 Dane Co Courthouse  
(608) 266-6316  
Open 8:30-4:30 M-F  
[www.wilawlibrary.gov](http://www.wilawlibrary.gov)**

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NOTE: This brochure is based on the Madison Building Inspection's Tenant & Landlord Rights & Responsibilities:  
<http://www.cityofmadison.com/BI/TenantLandlordWeb03-7-07.pdf>

## Local Organizations/Contacts

### **The Tenant Resource Center**

1202 Williamson St., Suite A, Madison, WI 53703  
 Phone: 257-0006 Rental Rights & Responsibilities  
 Phone: 242-7406 Housing Help Desk  
 Phone: 257-2799 Housing Mediation Service  
 Web: <http://tenantresourcecenter.org/>

### **The Madison Equal Opportunities Commission**

210 Martin Luther King Jr. Blvd., City-County Building Room  
 523, Madison, WI 53703  
 Phone: 266-4910  
 Web: <http://www.cityofmadison.com/dcr/eo.cfm>

### **Fair Housing Center of Greater Madison**

600 Williamson Street, Suite L4, Madison WI 53703  
 Phone: 257-0853,  
 Toll free complaint intake line: 877-647-3247  
 Web: <http://www.fairhousingwisconsin.com/>

### **Apartment Association of South Central Wisconsin**

702 North High Point Rd., Ste. 203, Madison, WI 53717  
 Phone: 826-6226  
 Web: <http://www.aascw.org/>

### **Inspection Unit of the City of Madison**

215 Martin Luther King Jr. Blvd., Madison Municipal Building,  
 Ste. LL100, Madison WI 53703  
 Phone: 266-4551  
 Web: <http://www.ci.madison.wi.us/BI/bihome.html>

## State Legal Resources

### Wisconsin Statutes, Chapter 704 (Tenant/Landlord)

On the Internet: <http://www.legis.state.wi.us/statutes/Stat0704.pdf>

\*This is the statute chapter on Landlords and Tenants.

### Wisconsin Statutes, Chapter 799 (Small Claims)

On the Internet: <http://www.legis.state.wi.us/statutes/Stat0799.pdf>

\*This is the statute on Small Claims Court Procedures. The section on eviction actions begins with § 799.40.

### Wisconsin Statutes, § 106.50

On the Internet: <http://www.legis.state.wi.us/statutes/Stat0106.pdf>

\*This section deals with housing discrimination and is titled the “Open Housing” law. It prohibits housing discrimination based on sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, lawful source of income, age, or ancestry. The Wisconsin Department of Workforce Development administers this law.

### Wisconsin Administrative Code, ATCP 134 (Residential Rental Practices)

On the Internet:

<http://www.legis.state.wi.us/rsb/code/atcp/atcp134.pdf>

\*This is the code on residential rental practices. There is also more information on the Department of Agriculture, Trade, & Consumer Protection’s website:

<http://www.datcp.state.wi.us/cp/consumerinfo/cp/factsheets/index.jsp>. See the fact sheets under “Housing.”

### Wisconsin Administrative Code, DWD 220

On the Internet:

<http://www.legis.state.wi.us/rsb/code/dwd/dwd220.pdf>

\*This is the code on Fair Housing, especially complaints and procedures for enforcing the Open Housing law.

\*In addition to the code, the Department of Workforce Development has information on their website regarding filing complaints, including forms. On the Internet, look under “Discrimination”: <http://www.dwd.state.wi.us/>

### City of Verona

Title 11, Chapter 3: Landlord Fraud Protection

Title 15, Chapter 3: Fair Housing; Chapter 4: Housing Code

### Village of Black Earth

Chapter 120-16(E): Rights of residents regarding cable TV

### Village of Cambridge

Title 9 (9.36): Fair Housing

Title 15 (15.24): Minimum Housing Code

### Village of Cottage Grove

Chapter 130-7: Building Inspection

### Village of Deerfield

Chapter 29: Fair Housing

### Village of DeForest

Chapter 14: Building Inspection

Chapter 22: Recycling

Chapter 27: Housing Code

### Village of Shorewood Hills

Chapter 9: Recycling Requirements

Chapter 16: Fair Housing, including Building Inspection

### Village of Waunakee

Chapter 54: Discrimination/Fair Housing

Chapter 78: Recycling Requirements

Chapter 18: Building Inspection

### Town of Dunn

Chapter 16.2: Building Maintenance

### Town of Oregon

Title 6, Chapter 2: Recycling Requirements

Title 10, Chapter 1: Building Inspection

**Town of Springfield**

Chapter 5: Recycling Requirements

**Town of Vermont**

Chapter 5: Recycling Requirements

**Town of Verona**

#94-1: Recycling Requirements

**Town of Westport**

Title 6, Chapter 1: Recycling Requirements



## Introduction / Disclaimer

This brochure provides information about locating the legal resources relevant to tenants and landlords in Dane County. These legal references may not be the only places to look for information, but they are good places to start. Check with your local jurisdiction for more information.

**This brochure is not meant to be legal advice.** If you need legal assistance, consult one of the agencies listed at the end of this booklet.

## General Rental Tips

- Keep a rental file. The file should include the lease, addendums, check-in/out forms, letters to and from your landlord, housing inspection reports, notices to enter, and any documentation of repairs or security deposit problems. Get receipts for rent payments.
- Keep notes with dates and names of any contacts with the landlord regarding problems.
- Get promises from the landlord in writing. Contact your landlord when a problem arises.
- Make yourself aware of the terms of the lease and follow those terms.
- Pay rent on time.
- Maintain the apartment; keep it clean.
- Notify the landlord as soon as possible when a repair is needed.
- Repair or pay for the repair of damages for which you are responsible.

## Local Legal Resources

### Specific Relevant Ordinances List by Jurisdiction

\*These ordinances are all available online by selecting the appropriate city, town, or village from the list provided on the Ordinances web page, through the WI State Law Library: <http://wsll.state.wi.us/ordinances.html>. This is not an exhaustive list. Check with your local jurisdiction for more information on local codes that may apply to your situation.

#### City of Madison

Chapter 32: Landlord/Tenant  
Chapter 27: Regulation about posting emergency information  
Chapter 10: Recycling Requirements

#### City of Fitchburg

Chapter 28: Landlord and Tenant Code

#### City of Middleton

Chapter 6: (6.03) Recycling Requirements

#### City of Monona

Title 15, Chapter 3: Fair Housing; App. B: Bldg Inspection  
Title 8, Chapter 3: Recycling Requirements

#### City of Stoughton

Chapter 18.67: Landlord/Tenant  
(w/ regards to Cable TV Access Regulations)  
Chapter 62.44: Recycling Requirements

#### City of Sun Prairie

Chapter 9.20: Fair Housing  
Chapter 5.24: Access to Cable TV

### Wisconsin Administrative Code, Comm

On the Internet: <http://www.legis.state.wi.us/rsb/code/codtoc.html>

\*The Commerce code may be of interest to those looking for housing codes, such as minimum plumbing requirements, or for information on housing assistance.

## Other State Resources

### Court Cases & Statute Annotations

\*\*\*While reading the statutes or administrative code, you may see annotations that refer to court cases, law review articles, or Opinions of the Attorney General. On the Internet, you can access most of these resources on the Wisconsin State Law Library's Wisconsin Law webpage: <http://wilawlibrary.gov/wisco.html>

### Wisconsin State Law Library (608) 266-1600

120 Martin Luther King Jr. Blvd. 800-322-9755

2<sup>nd</sup> Floor—Risser Justice Center, Madison

\*WSLL provides two floors of state and federal legal print materials. On the Internet, WSLL has a legal topic called "Landlord/Tenant" that brings together pertinent links to online resources. <http://wilawlibrary.gov/topic/landlord.html>

\*\*\*You can also access these materials in print at any public law library. In Madison, they are the Dane County Legal Resource Center, WI State Law Library, or the UW Law School Library (608) 262-1128.

## Dane County Legal Resources

### Dane County Code of Ordinances: Ch. 31 (Fair Housing)

On the Internet: <http://www.countyofdane.com/ord/dcord.htm>

\*Chapter 31 of the Dane County Code of Ordinances is known as the Fair Housing Ordinance. It includes definitions and information about how housing discrimination is prohibited in Dane County, as well as how this rule is enforced.

### Dane County Circuit Court: Small Claims Division Room 1000 Dane County Courthouse 215 S Hamilton Street (608) 266-4311

\*The Dane County Small Claims Court is the appropriate venue for eviction cases in Dane County. Information about the eviction process is found in chapters 799 and 704 of the Wisconsin Statutes (mentioned above). In addition, there is a Guide to Small Claims Court (published by the WI Court System) available online at

<http://www.wicourts.gov/about/pubs/circuit/smallclaimsguide.htm>

(or for \$2 in print from DCLRC) and an Abbreviated Guide to Small Claims, highlighting Dane County filing and procedural information (found in print at the Clerk of Courts office or on their website:

<http://www.co.dane.wi.us/clrkort/prepare/smallClaim.aspx>.

### Small Claims Assistance Program (SCAP) Tuesdays 9-11 a.m. – Rm L1000 Dane Co Courthouse Call (608) 266-6316 for more information

\*The Small Claims Assistance Program offers help with small claims forms and court procedures. Staffed by volunteer attorneys, and paralegals, SCAP is coordinated through the Dane County Legal Resource Center, Dane County Bar Association, and the State Bar of Wisconsin. Volunteers cannot give legal advice, but can offer assistance with filling out forms or understanding court procedures. SCAP is a drop-in service only; no phone calls to attorneys will be accepted.

### Dane County Legal Resource Center (608) 266-6316 Room L1007 Dane Co Courthouse [dclrc.ref@wicourts.gov](mailto:dclrc.ref@wicourts.gov) Open Monday-Friday 8:30-4:30

\*The Dane County Legal Resource Center is a small law library filled with resources for all court participants, including members of the public. In addition to books and electronic resources, DCLRC sells court forms and photocopies, booklets, and other informational services. DCLRC offers legal information sessions, classes, and other special events for the public. Contact DCLRC by phone or email to find out what's coming up next. DCLRC is managed through a contractual agreement between the WI State Law Library and the Dane County Clerk of Courts.

